IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND SIX
: PRESENT:

THE HON'BLE MR. JUSTICE : B. SESHASAYANA REDDY

CRIMINAL APPEAL No. 1675 OF 1999

(Criminal Appeal under Section 378(4), of Cr.P.C. preferred against the judgment dated: 16-09-1999 passed in Crl.A. No. 67 OF 1997 on the file of the Court of the I Additional Sessions Judge, Guntur preferred against the order of the Court of the IV Additional Munsif Magistrate, Guntur and passed in CC.No. 67 of 1992 dated 3-3-1997.)

Between:-

Gorantla Venkateswara Rao S/o. Tirupathaiah.
..Appellant.

AND

1. Mr. Abdul Aleem S/o. Sri Farid, Union Bank of India, Kothapalli Branch, Karimnagar District.
2. The State of A.P., represented by the Public Prosecutor, High Court of A.P., Hyderabad.

Respondents

The Criminal Appeal coming on for hearing, upon perusing the Memo of Grounds filed herein and upon hearing the arguments of Mr. K. Suesh Reddy, Advocate for the Appellant and the Public Prosecutor, for the Respondent No.2 and of Sir A.V.V.S.N. Murthy, Advocate for Respondent No.1, the Court made the following **ORDER :-**

Both counsel represented that the subject matter of this appeal is likely to be compromised.

Learned counsel appearing for the 1st respondent-accused seeks vacation of the order dated 12-10-1999 vide Crl.M.P.No. 6067 of 1999 since the matter is likely to be compromised.

Learned counsel appearing for the appellant does not choose to oppose the prayer sought for by the 1st respondent-accused.

In the circumstances stated above, to facilitate the parties to come to an understanding with regard to the payment of the amount covered under the cheque in question, the interim order dated 12-10-1999 passed in Crl.M.P.No. 6067 of 1999 is vacated. Consequently the 1st respondent-accused is entitled for return of the fine amount, since the conviction has already been set aside by the lower appellate Court in Crl.A.No. 67 of 1997.

Accordingly, the order passed in Crl.M.P.No. 6067 of 1999, dated 12-10-1999 is hereby vacated.

Post the Criminal Appeal for reporting the compromise after two weeks.

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To
1.The Addl. Sessions Judge, Guntur.
2.The IV Additional Munsif Magistrate, Guntur.
3 Mr. Abdul Aleem S/o. Sri Farid, Union Bank of India, Kothapalli Branch, Karimnagar District.
4.Two CCs to the Public Prosecutor, High Court of A.P., Hyderabad. (OUT)
5.One spare copy.
TKK

HIGH COURT

BSSR.J

DATE: 13-09-2006.

ORDER

CRL.A. No. 1675 OF 1999

ORDER PASSEDIN CRL.MP.NO. 6067
OF 1999 DT. 12-10-1999 IS HEREBY VACATED.

HIGH COURT

Drafted By : TKK
Date of drafting: 15-9-2006.

BSSR.J

DATE: 13-09-2006.

Note :- Post the Criminal Appeal for reporting the Compromise after two weeks.

ORDER

ORDER PASSEDIN CRL.MP.NO. 6067 OF 1999 DT. 12-10-1999 IS HEREBY VACTED.